



**DEVELOPMENT SERVICES
PLANNING DIVISION**

The City of Morgantown

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November 11, 2016

Seneca Village, LLC
c/o William E. Turner, Jr.
717 Brawley Walkway
Charleston, WV 25301

**RE: S16-01-III / Seneca Village, LLC / 709 Beechurst Avenue
MNS16-15 / Seneca Center, Inc. / 709 Beechurst Avenue
Tax Map 15, Parcel 196/197; B-2, Service Business District**

Dear Mr. Turner:

This letter is to notify you of the decisions made by the Planning Commission concerning the above referenced Development of Significant Impact Site Plan petition.

The decisions are as follows:

Planning Commission, November 10, 2016

Case No. S16-01-III was approved as requested with the following conditions:

1. That minor subdivision approval be granted under Case No. MNS16-15 and related conditions observed; including, an easement ensuring perpetual vehicular and pedestrian ingress, egress, and regress from the subject development site to the existing driveway entrances that have long served the Seneca Center development (Eighth Street, Beechurst Avenue, and Sixth Street).
2. That requisite variance approvals identified herein must be granted by the Board of Zoning Appeals and related conditions observed.
3. That, to the satisfaction of the Planning Division, the final Landscape Plan and Lighting Plan must be submitted, reviewed and approved and variance relief granted, if required, prior to the issuance of any development related building permits.
4. That, to the satisfaction of the City Engineer, the development of requisite sidewalks along Eighth Street be designed and constructed in a manner that continues pedestrian-scaled public improvements.
5. That, to the satisfaction of the City's Chief Building Code Official, the development must meet all applicable federal Fair Housing and Americans with Disabilities Act standards.
6. That, to the greatest extent practicable and to the satisfaction of the Planning Division, the architectural design of the building must complement the predominant historical industrial warehouse style of the Seneca Center buildings.

Case No. MNS16-15 was approved as requested with the following conditions:

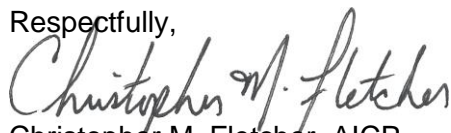
1. That approval of Development of Significant Impact Site Plan under Case No. S16-01-III be granted by the Planning Commission thereby mitigating, through redevelopment, the nonconforming lot coverage of the existing building created by the subdivision approval granted herein; provided, the portion of the existing building situated on the subdivided "Tract A" created herein is razed and removed OR variance relief is granted by the Board of Zoning Appeals for the existing building situated on the subdivided "Tract A" created herein to exceed the maximum lot coverage standard as set forth in Section 1347.03(D).
2. That an access easement ensuring perpetual vehicular and pedestrian ingress, egress, and regress from the parcel created herein to the existing driveway entrances that have long served the Seneca Center development (Eighth Street, Beechurst Avenue, and Sixth Street) be recorded and run with the affected realty; the area for which is illustrated on the preliminary plat of survey exhibit considered herein.
3. That the petitioner submits three (3) original final plat documents, including all access/utility easements if applicable, signed and sealed by a surveyor licensed in the State of West Virginia for the Planning Commission President's signature; and,
4. That the final plat is filed at the Monongalia County Courthouse within thirty (30) days of meeting the condition set forth above.

You may appeal these decisions to the Board of Zoning Appeals within thirty (30) days of the date of this letter. An aggrieved party may request review of this decision by filing a petition for writ of certiorari with the Circuit Court of Monongalia County within thirty (30) days of this decision. Any work done relating to decisions rendered by the Planning Commission during the thirty-day period is at the sole financial risk of the petitioner.

The Planning Commission's site plan approval granted herein will expire two (2) years from the date of approval if the project has not been completed. The Planning Commission, at its discretion, may, upon written request of the Commission, grant site plan approval extensions for a period of up to two (2) years.

Should you have any questions concerning the Planning Commission's decisions or require further clarification, please contact the undersigned. We look forward to serving your development review and approval needs.

Respectfully,



Christopher M. Fletcher, AICP
Director of Development Services

cc via email: Brian Gallagher, Esq. on behalf of Seneca Center, Inc. (c/o C. Barton Loar)